



Pursuant to 28 U.S.C. § 1746, Sascha N. Rand declares as follows:

1. I am a member of the firm Quinn Emanuel Urquhart Oliver & Hedges, LLP, counsel for Plaintiff Marc S. Kirschner in his capacity as Trustee of the Refco Non-Estate Private Actions Trust. I respectfully submit this declaration in further support of Plaintiff's Motion to Remand to New York State Court.

2. Attached hereto as Exhibit A is a true and correct copy of the Declaration of Marc S. Kirschner in Support of Plaintiff's Motion to Remand to Illinois State Court, dated September 25, 2007 (the "Kirschner Illinois Declaration"), without exhibits.

3. Attached hereto as Exhibit B is a true and correct copy of the Litigation Trust Agreement dated December 26, 2006, which was attached as Exhibit D to the Kirschner Illinois Declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed on December 17, 2007 in New York, New York.

By: Sascha N. Rand  
Sascha N. Rand